

**216 IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH**

**CRM-M-25121-2022**

**Date of decision : 27.02.2023**

**Ajay Kumar @ Sonu**

**....Petitioner**

**Vs.**

**State of Punjab**

**...Respondent**

**CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ**

Present: Mr. G.S.Sandhu, Advocate for the petitioner.  
Ms. Shivani Sharma, DAG, Punjab.

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**MANOJ BAJAJ, J.**

Petitioner has filed this third petition under Section 439 Cr.P.C for grant of regular bail in case FIR No.406 dated 08.12.2020 under Section 22-C Narcotic Drugs and Psychotropic Substances Act, 1985 registered at Police Station City Sri Muktsar Sahib, District Sri Muktsar Sahib, who is in custody since his arrest on 08.12.2020.

As per prosecution case, the petitioner was found in conscious possession of 220 bottles of Wincirex of 100 ML each at the time of patrolling by police.

Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case, who is not involved in any other case. He further submits that after framing of charges on 07.07.2021, only three prosecution witnesses have been examined so far, out of total 16 witnesses. According to him, the trial will take considerable time to conclude, therefore, further custody of the petitioner is not necessary. He prays for bail.

While opposing the prayer, learned State counsel who is assisted by ASI Jasvir Singh submits that the quantity recovered from the petitioner falls within the ambit of commercial quantity and he was arrested on the spot, therefore, the petitioner does not deserve the concession of regular bail. She on instructions further states that out of total 16 prosecution witnesses, three witnesses have been examined and four have given up and now the case is now fixed for 15.03.2023 before the trial Court for recording remaining prosecution evidence.

After hearing learned counsel for the parties and considering the fact that the prosecution has already examined half of its witnesses and now the case is coming up on 15.03.2023 for recording the remaining prosecution witnesses, therefore, it cannot be said that the trial is likely to consume much time to conclude. Thus, in view of the nature as well as the quantity of the recovered contraband, this Court is not inclined to extend the concession of regular bail to the petitioner.

Resultantly, without meaning any expression of opinion on the merits of the case, no case is made out for releasing the petitioner on regular bail.

Petition is dismissed.

27.02.2023

vanita

(MANOJ BAJAJ)  
JUDGE

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|-----------------------------|-----|----|
| Whether speaking/reasoned : | Yes | No |
| Whether Reportable :        | Yes | No |